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PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

|                        |                   |
|------------------------|-------------------|
| Application Number     | 10747,832         |
| Filing Date            | December 29, 2003 |
| First Named Inventor   | David L. Thompson |
| Art Unit               | 3763              |
| Examiner Name          | TBA               |
| Attorney Docket Number | 011738.00214      |

Total Number of Pages in This Submission

## ENCLOSURES (check all that apply)

|  |   |   |
|--|---|---|
| <input type="checkbox"/> Fee Transmittal Form<br><br><input type="checkbox"/> Fee Attached<br><br><input type="checkbox"/> Amendment / Response<br><input type="checkbox"/> After Final<br><br><input type="checkbox"/> Affidavits/declaration(s)<br><br><input type="checkbox"/> Extension of Time Request<br><br><input type="checkbox"/> Express Abandonment Request<br><br><input checked="" type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><br><input type="checkbox"/> Response to Missing Parts/ Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)<br><br><input type="checkbox"/> Drawing(s)<br><br><input type="checkbox"/> Licensing-related Papers<br><br><input type="checkbox"/> Petition<br><br><input type="checkbox"/> Petition to Convert to a Provisional Application<br><br><input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address<br><br><input type="checkbox"/> Terminal Disclaimer<br><br><input type="checkbox"/> Request for Refund<br><br><input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group<br><br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><br><input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)<br><br><input type="checkbox"/> Proprietary Information<br><br><input type="checkbox"/> Status Letter<br><br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):<br>Supplemental PTO SB O8A with cited foreign and non -patent references attached |
| Remarks  |   | Being filed via Express Mail No.: EV406109316US   |
| The Commissioner is hereby authorized to charge any deficiencies in payment or credit any overpayment to our Deposit Account 19-0733.  |   |   |

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

|  |  |
|--|--|
| Firm or Individual name<br><br>Signature<br><br>Date | Charles W. Shifley<br><br><br><br>December 2, 2004 |
|--|--|

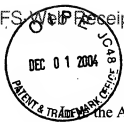
## CERTIFICATE OF MAILING

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| Typed or printed name |  | Date |  |
| Signature             |  | Date |  |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

the Application of:

David L. Thompson

Serial No.: 10/747,832

Filed: December 29, 2003

For: CLOSED LOOP MEDICAMENT  
PUMP

Attorney Docket No.: 011738.00214

Group Art Unit: 3763

Examiner: TBA

Confirmation No.: 6454

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. 1.97 and 1.98, the Applicant wishes to make the following supplemental references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. §1.56. Copies of the supplemental foreign and non-patent references cited below are enclosed. The supplemental references are also listed on the enclosed and completed Form PTO/SB/08A and on the European Search Report for EP 1 048264 A1.

**REFERENCES****U.S. Patent Documents**

1. U.S. Patent No. 3,943,918, Lewis, issued March 16, 1976;
2. U.S. Patent No. 5,140,985, Schroeder et al., issued August 25, 1992;
3. U.S. Patent No. 5,862,803, Besson et al., issued January 26, 1999.

**Foreign Patent Documents**

1. WO 91/07680, Raynet Corporation, Published May 30, 1991; and
2. WO 96/00110, Cygnus Therapeutic Systems, published January 4, 1996.

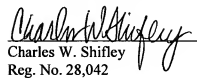
**Other References**

1. European Search Report for EP 1 048264 A1.

Respectfully submitted,  
BANNER & WITCOFF, LTD

Dated: December 2, 2004

By:

  
Charles W. Shifley  
Reg. No. 28,042



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Substitute for form 1449A/PTO

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

## **Complete if Known**

|                        |                   |
|------------------------|-------------------|
| Application Number     | 10747,832         |
| Filing Date            | December 29, 2003 |
| First Named Inventor   | David L. Thompson |
| Art Unit               | 3763              |
| Examiner Name          |                   |
| Attorney Docket Number | 11738.00214       |

| Examiner Initials * | Cite No. <sup>1</sup> | Document Number<br>Number - Kind Code <sup>2</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or Applicant of<br>Cited Document | Pages, Columns, Lines, Where Relevant<br>Passages or Relevant<br>Figures Appear |
|---------------------|-----------------------|---|--------------------------------|--|---|
|                     |                       | US- 3,943,918   | 03-16-1976                     | Lewis  |   |
|                     |                       | US- 5,140,985   | 08-25-1992                     | Schroeder et al.                                   |   |
|                     |                       | US- 5,862,803   | 01-26-1999                     | Besson et al.                                      |   |

## **FOREIGN PATENT DOCUMENTS**

| Examiner Initials * | Cite No. <sup>1</sup> | Foreign Patent Document<br>Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known) | Publication Date<br>MM-DD-YYYY | Name of Patentee or<br>Applicant of Cited<br>Document | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear | T <sup>6</sup> |
|---------------------|-----------------------|--|--------------------------------|---|--|----------------|
|                     |                       | WO 91/07680  | 05-30-1991                     | Raynet<br>Corporation                                 |  |                |
|                     |                       | WO 96/00110  | 01-04-1996                     | Cygnus<br>Therapeutic<br>Systems                      |  |                |

## **NON PATENT LITERATURE DOCUMENTS**

| Examiner Initials * | Cite No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|---------------------|-----------------------|---|----------------|
|                     |                       | European Search Report for EP 1 048264 A1   |                |

|                    |                 |                 |            |
|--------------------|-----------------|-----------------|------------|
| Examiner Signature | /Manuel Mendez/ | Date Considered | 04/28/2008 |
|--------------------|-----------------|-----------------|------------|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 120 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**CERTIFICATE OF MAILING  
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Deposited: December 2, 2004

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By: 

Application of: David L. Thompson  
Application No.: 10/747,832  
Filing Date: December 29, 2003  
Title: Closed Loop Medicament Pump

Transmitted herewith are the following documents:

- ☒ Transmittal (1 page) in duplicate
- ☒ Supplemental Information disclosure statement (1 page)
- ☒ Supplemental PTO SB O&A with cited foreign and non-patent references attached (1 page)
- ☒ Return Receipt Postcard

Attorney Case No.: 11738.00214